

REMARKS

At the outset, Applicant thanks the Examiner for the thorough review and consideration of the pending application. The Office Action dated February 23, 2005 has been received and its contents carefully reviewed.

Claim 7 is hereby amended; claim 10 is hereby canceled; and claims 24-32 are hereby added. Accordingly, claims 7-9, 11, and 24-32 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

In the Office Action, the Examiner objected to the Title of the Invention as not being descriptive. Applicant respectfully disagrees with the Examiner's objection however, and for the sole purpose of expediting prosecution of the subject application, Applicant hereby adopts the Examiner's suggested title and respectfully requests withdrawal of the present objection to the Title of the Invention.

In the Office Action, the Examiner objected to the specification due to an informality, requiring that the specification be updated to reflect the status of the parent Application No. 10/157, 201 and to delete duplicative cross-reference information. Applicant hereby adopts the Examiner's suggestions and respectfully requests withdrawal of the present objection to the specification.

In the Office Action, the Examiner rejected claim 7 under 35 U.S.C. § 102(e) as being allegedly anticipated by Voutsas et al. (U.S. Patent No. 6,573,163, herein referred to as "Voutsas '163"). This rejection is respectfully traversed and reconsideration is requested.

As set forth at M.P.E.P. § 2131, a claim is anticipated only when a single prior art reference teaches, either expressly or inherently, each and every element as recited in the claim.

Applicant respectfully submits that Voutsas '163 fails to teach, either expressly or inherently, each and every element as presently recited in claim 7. For example, Voutsas '163 fails to teach, either expressly or inherently, "a plurality of stripe-shaped light transmitting portions for passing the laser beam, wherein the distance between the adjacent light transmitting portions is less than the width of the light transmitting portion," as presently recited in claim 7.

Accordingly, Applicant respectfully submits that Voutsas '163 fails to anticipate claim 7 and requests that the present rejection under 35 U.S.C. § 102(e) be withdrawn.

In the Office Action, the Examiner rejected claims 7 and 8 under 35 U.S.C. § 102(e) as being allegedly anticipated by Voutsas et al. (U.S. Patent No. 6,792,029, herein referred to as "Voutsas '029"). This rejection is respectfully traversed and reconsideration is requested.

Voutsas '029 has an effective filing date of March 27, 2002. As noted above, the present application claims the benefit of foreign priority to Korean Patent Application No.: 2001-30698, filed June 1, 2001. Accordingly, Applicant hereby perfects the present claim to priority under 35 U.S.C. § 119(a)-(d) by submitting an English language translation of Korean Patent Application No.: 2001-30698, submits that Voutsas '029 is not available as prior art under 35 U.S.C. § 102(e), and requests withdrawal of the present rejection under 35 U.S.C. § 102(e).

In the Office Action, the Examiner rejected claims 7 and 10 under 35 U.S.C. § 102(e) as being allegedly anticipated by Crowder (U.S. Patent No. 6,767,804). This rejection is respectfully traversed and reconsideration is requested.

Crowder has an effective filing date of November 8, 2001. As noted above, the present application claims the benefit of foreign priority to Korean Patent Application No.: 2001-30698, filed June 1, 2001. Accordingly, Applicant hereby perfects the present claim to priority under 35 U.S.C. § 119(a)-(d) by submitting an English language translation of Korean Patent Application No.: 2001-30698, submits that Crowder is not available as prior art under 35 U.S.C. § 102(e), and requests withdrawal of the present rejection under 35 U.S.C. § 102(e).

In the Office Action, the Examiner rejected claim 9 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Voutsas '163 in view of Uchida (JP Patent Pub. No. 62-026884). This rejection is respectfully traversed and reconsideration is requested.

Claim 9 depends from claim 7, which as discussed above, is patentable over Voutsas '163. Uchida is asserted by the Examiner as disclosing features recited by dependent claim 9. Without reaching the merits of this assertion, Applicant respectfully submits that Uchida fails to cure the above-cited deficiency of Voutsas '163 as applied to independent claim 7 above.

Therefore, Applicant respectfully submits that claim 9 which depends from claim 7, is patentable over Voutsas '163 in view of Uchida and requests withdrawal of the present rejection under 35 U.S.C. § 103(a).

In the Office Action, the Examiner rejected claim 11 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Voutsas '163. This rejection is respectfully traversed and reconsideration is requested.

Claim 11 depends from claim 7, which as discussed above, is patentable over Voutsas '163. Accordingly, Applicant respectfully submits that claim 11 is patentable over Voutsas '163 by virtue of its dependence from claim 7. For at least this reason, Applicant respectfully requests withdrawal of the present rejection under 35 U.S.C. § 103(a).

Moreover, and in rejecting claim 11, the Examiner asserts that it would have been obvious to "modify the mask of ... [Voutsas '163] by adjusting the width of the slit to meet the limitation of claim 11 through routine experimentation, the applicant can show that this limitation achieves unexpected results relative to ... [Voutsas '163]." Applicant respectfully submits, however, that a particular parameter must first be recognized as a result-effective variable (i.e., a variable which achieves a recognized result) before the determination of the optimum or workable ranges of the variable can be characterized as "routine experimentation." (see M.P.E.P. § 2144.05(II)(B))

In the present case, the Examiner has failed to establish that Voutsas '163 recognizes the width of its rectangular slits 29 and 31 as a function of the maximum length of lateral grain growth. Therefore, Applicant respectfully submits that the parameter of Voutsas '163 that the Examiner intends to modify (i.e., ratio of slit width to maximum lateral grain growth) was not recognized by Voutsas '163 to be a result-effective variable. Absent the requisite recognition in Voutsas '163, Applicant respectfully submits that the modification to Voutsas '163 is made possible only with the benefit of Applicant's disclosure, via impermissible hindsight reasoning. For at least this additional reason, Applicant respectfully requests withdrawal of the present rejection under 35 U.S.C. § 103(a).


Applicant believes the foregoing amendments and remarks place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: May 23, 2005

Respectfully submitted,

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